

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KENNETH HIGH,

Petitioner,

vs.

89-80352
CASE NO: 05-71928
HON. LAWRENCE P. ZATKOFF
MAGISTRATE JUDGE DONALD A. SCHEER

UNITED STATES OF AMERICA,

Respondent.

**OPINION AND ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Petitioner filed a Motion to Vacate, Set Aside, or Correct his sentence pursuant to 28 U.S.C. § 2255 on May 16, 2005. Respondent filed a response brief. This matter is currently before the Court on Magistrate Judge Scheer's Report and Recommendation of October 12, 2005, in which the Magistrate Judge recommends that the Motion should be denied.¹ Petitioner filed an objection to the Report and Recommendation.

The Court has undertaken a thorough review of the court file, the Report and Recommendation, and the objection to the Magistrate Judge's Report and Recommendation filed by Petitioner. As a result of that review, the this Court ADOPTS the Report and Recommendation and enters it as the findings and conclusions of this Court.

¹The Report was filed under criminal case no. 89-80352.

Therefore, IT IS HEREBY ORDERED that Petitioner's Motion to Vacate, Set Aside, or Correct his sentence is DENIED.

IT IS SO ORDERED.

s/Lawrence P. Zatkoff

LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE

Dated: November 22, 2005

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on November 22, 2005.

s/Marie E. Verlinde

Case Manager
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